



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE (202) 371-2600 • FACSIMILE (202) 371-2540 • www.skgf.com

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX***
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY GENE G. DURKIN
MICHAEL A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE
STEVEN R. LUDWIG

JOHN M. COVERT
LINDA E. ALCORN
ROBERT C. MILLON G.
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
JEFFREY T. HELVET
HEIDI L. KRAUS
JEFFREY R. KURIN
RAYMOND MILLIEN
PATRICK D. O'BRIEN

LAWRENCE B. BUGAISKY
CRYSTAL D. SALES
EDWARD W. YEE
ALBERT I. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL
TERESA U. MELLER
JEFFREY S. WEAVER
KRISTIN K. VIDOVICH
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
GRANT E. REE

VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FASULO II*
ELDORA ELLISON FLOYD*
W. RUSSELL SWINDELL
THOMAS C. FIALA
BRAN J. DEL BUONO*
VIRGIL L. BEASTON*
RYAN J. STAMPER*
KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
ANDREA J. KAMAGE**
NANCY J. LEITH**

ELIZABETH J. HAANES**
MARK P. TERRY**
JOSEPH M. CONRAD, III**
DOUGLAS M. WILSON**
REGINALD D. LUCAS**
ANN F. SUMMERFIELD**
CYNTHIA M. BOUCHEZ**
HELENE C. CARLSON**
BRUCE E. CHALKER**
DUSTIN T. JOHNSON**
MATTHEW J. DOWD**

*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

August 23, 2001

WRITER'S DIRECT NUMBER:

(202) 371-2625

INTERNET ADDRESS:

esteffe@skgf.com

Commissioner for Patents
Washington, D.C. 20231

**Box Missing Parts
Group Art Unit 1614**

Re: U.S. Utility Patent Application
Appl. No. 09/784,005; Filed: February 16, 2001
(Continuation of PCT/GB99/02727)
For: **Cancer Treatment**
Inventors: Vinson *et al.*
Our Ref: 0623.1040001/EKS/PSC/TAC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Petition for Extension of Time under 37 C.F.R. §1.136(a)(1) (*in duplicate*);
2. PTO Fee Transmittal Form PTO/SB/17 (*in duplicate*);
3. Copy of Notice to File Missing Parts;
4. Original Declaration, executed by the inventors in three (3) separate documents;
5. An original executed Power of Attorney from Assignee;
6. Certificate Under 37 C.F.R. §3.73(b) with copy of Assignment (provided in three (3) separately executed documents) attached;
7. Preliminary Amendment;
8. Submission of Certified Copy of 35 U.S.C. §119(a)-(d) Priority Document In Utility Application along with a certified copy of each listed priority document;

Commissioner for Patents
August 23, 2001
Page 2

9. One (1) return postcard; and
10. Our Check No. **32324** for **\$160.00** to cover:
 - \$65.00** - Surcharge for late filing of Declaration (37 C.F.R. §1.16) (small entity);
 - \$55.00** - Extension of time fees under 37 C.F.R. §1.136 (small entity); and
 - \$40.00** - Excess independent claim fee (small entity).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. §1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eric K. Steffe
Attorney for Applicants
Registration No. 36.688

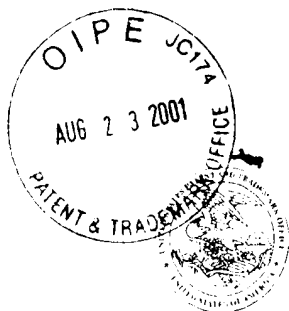
EKS/PSC/TAC:kim
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001 <i>Patent fees are subject to annual revision.</i>		Complete if Known	
		Application Number	09/784,005
		Filing Date	February 16, 2001
		First Named Inventor	VINSON, Gavin Paul
		Examiner Name	To be Assigned
		Group Art Unit	1614
		Attorney Docket No.	0623.1040001/EKS/PSC/TAC
TOTAL AMOUNT OF PAYMENT		(\$160.00)	

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																		
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Deposit Account Number</td> <td>19-0036</td> </tr> <tr> <td>Deposit Account Name</td> <td>Sterne, Kessler, Goldstein & Fox P.L.L.C.</td> </tr> </table> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>	Deposit Account Number	19-0036	Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large</th> <th>Entity</th> <th>Small</th> <th>Entity</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>65.00</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td>55.00</td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,240</td> <td>241</td> <td>620</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,240</td> <td>242</td> <td>620</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>440</td> <td>243</td> <td>220</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>600</td> <td>244</td> <td>300</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>130</td> <td>123</td> <td>130</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>481</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>710</td> <td>246</td> <td>355</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>710</td> <td>249</td> <td>355</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>710</td> <td>279</td> <td>355</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>	Large	Entity	Small	Entity	Fee Description	Fee paid	105	130	205	65	Surcharge - late filing fee or oath	65.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month	55.00	116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	130	123	130	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	481	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
Deposit Account Number	19-0036																																																																																																																																																																																		
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.																																																																																																																																																																																		
Large	Entity	Small	Entity	Fee Description	Fee paid																																																																																																																																																																														
105	130	205	65	Surcharge - late filing fee or oath	65.00																																																																																																																																																																														
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																															
139	130	139	130	Non-English specification																																																																																																																																																																															
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																															
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																															
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																															
115	110	215	55	Extension for reply within first month	55.00																																																																																																																																																																														
116	390	216	195	Extension for reply within second month																																																																																																																																																																															
117	890	217	445	Extension for reply within third month																																																																																																																																																																															
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																															
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																															
119	310	219	155	Notice of Appeal																																																																																																																																																																															
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																															
121	270	221	135	Request for oral hearing																																																																																																																																																																															
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																															
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																															
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																															
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																															
143	440	243	220	Design issue fee																																																																																																																																																																															
144	600	244	300	Plant issue fee																																																																																																																																																																															
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																															
123	130	123	130	Petitions related to provisional applications																																																																																																																																																																															
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																															
581	40	481	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																															
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																															
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																															
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																															
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																															
<p>2. <input checked="" type="checkbox"/> Payment Enclosed</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*</p> <p><small>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</small></p>	<p>Other fee (specify) :</p> <p>Other fee (specify) :</p> <p>*Reduced by Basic Filing Fee Paid</p>																																																																																																																																																																																		
<p>FEE CALCULATION</p> <p>I. BASIC FILING FEE</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>710</td> <td>201</td> <td>355</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>106</td> <td>320</td> <td>206</td> <td>160</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>107</td> <td>490</td> <td>207</td> <td>245</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>710</td> <td>208</td> <td>355</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114</td> <td>150</td> <td>214</td> <td>75</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="5">SUBTOTAL (1)</td> <td>(\$)-0-</td> </tr> </tbody> </table> <p>II. EXTRA CLAIM FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>102</td> <td>80</td> <td>202</td> <td>40</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>104</td> <td>270</td> <td>204</td> <td>135</td> <td>Multiple dependent claim</td> <td></td> </tr> <tr> <td>108</td> <td>80</td> <td>208</td> <td>40</td> <td>**Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>**Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="5">SUBTOTAL (2)</td> <td>(\$) 40.00</td> </tr> </tbody> </table> <p><small>** or number previously paid, if greater. For Reissues, see above</small></p>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	710	201	355	Utility filing fee		106	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		114	150	214	75	Provisional filing fee		SUBTOTAL (1)					(\$)-0-	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	80	202	40	Independent claims in excess of 3		104	270	204	135	Multiple dependent claim		108	80	208	40	**Reissue independent claims over original patent		110	18	210	9	**Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)					(\$) 40.00	<p>SUBTOTAL (3) (\$120.00)</p>																																																																																														
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																														
101	710	201	355	Utility filing fee																																																																																																																																																																															
106	320	206	160	Design filing fee																																																																																																																																																																															
107	490	207	245	Plant filing fee																																																																																																																																																																															
108	710	208	355	Reissue filing fee																																																																																																																																																																															
114	150	214	75	Provisional filing fee																																																																																																																																																																															
SUBTOTAL (1)					(\$)-0-																																																																																																																																																																														
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																														
103	18	203	9	Claims in excess of 20																																																																																																																																																																															
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																															
104	270	204	135	Multiple dependent claim																																																																																																																																																																															
108	80	208	40	**Reissue independent claims over original patent																																																																																																																																																																															
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																															
SUBTOTAL (2)					(\$) 40.00																																																																																																																																																																														

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Eric K. Steffe	Registration No. (Attorney Agent)	36,688	Telephone	202-371-2600
Signature		Date	1/23/01		



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/784.005	02/16/2001	Gavin P. Vinson	0623.1040001

26111

STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W., SUITE 600
WASHINGTON, DC 20005-3934

CONFIRMATION NO. 3969

FORMALITIES LETTER



OC000000006106538

Date Mailed: 05/23/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/24/2001 BSAYASI1 00000026 09784005

FILED UNDER 37 CFR 1.53(b)

02 FC:216
03 FC:202

~~35.00 DP~~
40.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$175.
 - \$40 for 1 independent claims over 3 .
 - \$135 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 240.

08/24/2001 BSAYASI1 00000026 09784005

01 FC:205 ~~65.00 DP~~

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE